

McCormick, Barstow, Sheppard,  
Wayte & Carruth LLP  
James P. Wagoner, #58553  
*jim.wagoner@mccormickbarstow.com*  
Lejf E. Knutson, #234203  
*lejf.knutson@mccormickbarstow.com*  
Nicholas H. Rasmussen, #285736  
*nrasmussen@mccormickbarstow.com*  
Graham A. Van Leuven, #295599  
*graham.vanleuven@mccormickbarstow.com*  
7647 North Fresno Street  
Fresno, California 93720  
Telephone: (559) 433-1300  
Facsimile: (559) 433-2300

Attorneys for Plaintiff, Counter-  
Defendant, Appellee, Appellant New York  
Marine and General Insurance Company

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

NEW YORK MARINE AND  
GENERAL INSURANCE COMPANY,  
a New York corporation,

Plaintiff,

v.

AMBER HEARD, an individual,,

Defendant.

Case No. 2:22-cv-04685-GW(PDx)

Consolidated for Pre-Trial Purposes  
with 2:21-cv-5832-GW (PDx)

**NEW YORK MARINE AND  
GENERAL INSURANCE  
COMPANY'S NOTICE OF CROSS-  
APPEAL**

Hon. George H. Wu

Complaint Filed: July 8, 2022

*[Representation Statement filed  
concurrently herewith]*

AMBER HEARD, an individual,

Counter-Claimant

v.

NEW YORK MARINE AND  
GENERAL INSURANCE COMPANY,  
a New York Corporation,

Counter-Defendant

1 PLEASE TAKE NOTICE that Plaintiff and Counter-Defendant New York  
2 Marine and General Insurance Company (“NY Marine”), hereby cross-appeals to the  
3 United States Court of Appeals for the Ninth Circuit from (1) the Court’s August 14,  
4 2023 Order dismissing NY Marine’s First Amended Complaint with leave to amend,  
5 and (2) the Court’s final Order of October 12, 2023 dismissing both NY Marine’s  
6 second amended complaint without leave to amend and the entire action with  
7 prejudice. True and correct copies of the August 14, 2023 Order and the October 12,  
8 2023 Final Judgment are attached hereto as Exhibits 1 and 2, respectively.

9 PLEASE TAKE FURTHER NOTICE that pursuant to Federal Rule of  
10 Appellate Procedure 12(b) and Ninth Circuit Rules 3-2(b) & 12-2, NY Marine’s  
11 representation statement is filed concurrently with this Notice.  
12

13 Dated: November 16, 2023

McCORMICK, BARSTOW, SHEPPARD,  
WAYTE & CARRUTH LLP

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15 By: /s/ James P. Wagoner

James P. Wagoner

Lejf E. Knutson

Nicholas H. Rasmussen

Graham A. Van Leuven

16 Attorneys for Plaintiff-Appellee and Counter-  
17 Defendant-Appellant New York Marine and  
18 New York Marine and General Insurance  
19 Company  
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